

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services- Allegation of corruption against Sri K.Sarvan, Mandal Surveyor, Office of the Tahsildar, Shankarampet Mandal Medak District – Sanction of Prosecution - Under Prevention of Corruption Act,1988- Orders-Issued.

REVENUE (VIG.IV(2) DEPARTMENT

G.O.Ms.No. 1020

Dated:- 14-08-2008.

ORDER:

Whereas, Sri K.Sarvan S/o Late K.Balya worked as Mandal Surveyor at O/o the Tahsildar, Shankarampet Mandal of Medak District from 06-12-2003 to 16-02-2008 and by virtue of the post held by him, he falls under the category of public servant as defined under section 2(c) of Prevention of Corruption Act,1988 (Central Act 49 of 1988);

2. And whereas, Sri M.Jagannadham S/o Bala Pochaiah, age 38 years, Occupation: Business is a Resident of Shankarampet Mandal Headquarters of Medak District. Sri M.Jagannadham was allotted agriculture land of 5.21 acres in Sy.No.33 situated at Chandanagar Village by the Government and Patta was also issued.On16-01-08. Sri M.Jagannadham approached the Manager, State Bank of India, Chinna Shankarampet Branch and submitted an application requesting for sanction of loan for purchase of a tractor by mortgaging the above land. The Manager, State Bank of India informed Sri M.Jagannadham that Pahani Choupasias from the year 1979 onwards are required for sanction of loan. On that Sri M.Jagannadham met Tahsildar, Chinna Shankarampet Mandal on the same day i.e., on 16-01-2008 and requested to issue Pahanis for his land from the year 1979 onwards. The Deputy Tahsildar got verified the records and informed that in the records, there was only 0.22 guntas of land in the name of Sri M.Jagannadham and not 5.21 acres. On that Sri M.Jagannadham submitted an application to Tahsildar for making survey of his land and issue Pahanies. The Deputy Tahsildar took his application and endorsed to Revenue Inspector and Mandal Surveyor and ordered to make a survey and submit report. On 20-01-2008, the Revenue Inspector Sri Maruthi and Mandal Surveyor Sri K.Sarvan

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visited the land of Sri M.Jagannadham and took measurements; Further, Sri K.Sarvan, Mandal Surveyor informed Sri M.Jagannadham that he will submit a report to Tahsildar and issue Pahanies in the name of Sri M.Jagannadham on the next day. From that day onwards, Sri M.Jagannadham has been approaching Sri K.Sarvan, Mandal Surveyor at his office every day and requesting him to complete his work by issuing Pahani Choupasias from the Year 1979. But, Sri K.Sarvan, Mandal Surveyor was avoiding to attend the work on one pretext or the other. On 13-02-2008 when Sri M.Jagannadham met Sri K.Sarvan, Mandal Surveyor at his office and made his request with regard to issuing Pahani Choupasias from the year 1979 onwards, Sri K.Sarvan demanded Rs.10,000/- as bribe and informed Sri M.Jagannadham that he will attend to his work i.e., issue of pahani Choupasias duly signed by Tahsildar after submitting Survey Report to Tahsildar, only after payment of the said bribe. On that, Sri M.Jagannadham expressed his inability to pay such amount. Sri K.Sarvan scaled down his demand to Rs.7,000/- as bribe. Further Sri Sarvan informed Sri M.Jagannadham that he should bring the said bribe amount of Rs.7,000/- to his office on Saturday i.e., 16-02-2008;

3. And Whereas, Sri M.Jagannadham was not willing to pay the bribe amount to Sri K.Sarvan, Mandal Surveyor, Shankarampet Mandal, attended the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range, camp at Sangareddy on 14-02-2008 and gave a complaint against Sri K.Sarvan, Mandal Surveyor. The Deputy Superintendent of Police endorsed the said complaint to the Inspector, Anti Corruption Bureau, Medak for verification and after due verification of the complaint of Sri M.Jagannadham a case was registered in Crime.No.3/ACB-NZB/2008 under section 7 of the Prevention of Corruption Act, 1988 on 16-02-2008 at 07-00 hours by the Deputy Superintendent of Police, Anti Corruption Bureau, Nizamabad camp at Sangareddy and investigated into;

3. And whereas, on 16-02-2008 i.e., the date of trap, at about 17-15 hours when Sri M.Jagannadham along with accompanying witness Sri Mohd.Dastagiri, Resident of Ramachandrapuram entered into the office room of Sri K.Sarvan, Mandal Surveyor, at Tahsil Office, Shankarampet where Sri K.Sarvan demanded and accepted illegal gratification other than remuneration of Rs.7,000/- with his right hand, counted and kept the bribe amount in his front left side wearing shirt pocket. The Phenolphthalein test conducted over both the hand fingers of Sri K.Sarvan, Mandal Surveyor yielded positive result. The tainted currency of Rs.7,000/- was recovered at the instance of Sri K.Sarvan, Mandal

Surveyor from his left front wearing shirt pocket in the presence of Mediators. The inner flap of the left front shirt Pocket of Sri K.Sarvan which came into contact with the tainted currency, when subjected to Phenolphthalein test also yielded positive result;

4. And whereas, the aforesaid acts of Sri K.Sarvan, Mandal Surveyor, Office of the Tahsildar, Shankarampet Mandal of Medak District constitute offences punishable under section 7 and section 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act,1988 (Central Act 49 of 1988)

5. And whereas. the Government of Andhra Pradesh, being the competent authority to remove Sri K.Sarvan, Mandal Surveyor, office of the Tahsildar, Shankarampet Mandal of Medak District from Government service, after fully and carefully examining the material placed before them in respect of the above said allegations and having regard to the facts and circumstances of the case consider that the said Sri K.Sarvan should be prosecuted in a court of law for the aforesaid offences.

6. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of Section 19 of the Prevention of Corruption Act,1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri K.Sarvan, Mandal Surveyor, Office of the Tahsildar, Shankarampet Mandal of Medak District for the aforesaid offences punishable under section 7 and section 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act,1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAMUEL
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director, Anti Corruption Bureau,
Hyderabad.